

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

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In re:

Lyman Holding Company, et al.,

Debtors.<sup>1</sup>

Chapter 11 Case No. 11-45190

(Jointly Administered)

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**STIPULATION TO FURTHER EXTEND DEADLINE TO OBJECT OR OTHERWISE RESPOND TO MOTION FOR ORDERS (I) AUTHORIZING DEBTORS TO SELL ASSETS FREE AND CLEAR OF LIENS, CLAIMS, INTERESTS AND ENCUMBRANCES; (II) AUTHORIZING ASSUMPTION AND ASSIGNMENT OR REJECTION OF UNEXPIRED LEASES AND EXECUTORY CONTRACTS; (III) APPROVING BIDDING PROCEDURES AND AUCTION; (IV) APPROVING BREAK UP FEE AND EXPENSE REIMBURSEMENT; (V) APPROVING FORM AND MANNER OF NOTICE; AND (VI) SCHEDULING FURTHER HEARING (DOCKET NO. 19)**

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WHEREAS, this stipulation is entered into by and between each of the Debtors in these jointly administered cases (the “Debtors”), and TCF National Bank (“TCF”);

WHEREAS, on August 5, 2011, each of the Debtors in these jointly administered cases filed a Notice of Hearing and Motion for Orders (i) Authorizing Debtors to Sell Assets Free and Clear of Liens, Claims, Interests and Encumbrances; (ii) Authorizing Assumption and Assignment or Rejection of Unexpired Leases and Executory Contracts; (iii) Approving Bidding Procedures and Auction; (iv) Approving Break Up Fee and Expense Reimbursement; (v) Approving Form and Manner of Notice; and (vi) Scheduling Further Hearing (Case No. 10-45190 Docket No. 19; the “Motion”);

WHEREAS, the final hearing on the Motion is scheduled for August 25, 2011, and the deadline to object or otherwise respond to the Motion was previously stipulated by the parties to

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<sup>1</sup> Jointly administered estates of the following Debtors: Lyman Holding Company Case No. BKY 11-45190, Lyman Lumber Company Case No. BKY 11-45191, Automated Building Components, Inc. Case No. BKY 11-45192, Building Materials Wholesalers, Inc. Case No. BKY 11-45193, Carpentry Contractors Corp. Case No. BKY 11-45194, Construction Mortgage Investors Co. Case No. BKY 11-45196, Lyman Development Co. Case No. BKY 11-45199, Lyman Lumber Wisconsin, Inc. Case No. BKY 11-45201, Lyman Properties, L.L.C. Case No. BKY 11-45202, Mid-America Cedar, Inc. Case No. BKY 11-45203, Woodinville Lumber, Inc. Case No. BKY 11-45204, Woodinville Construction Services, L.L.C. Case No. BKY 11-45206.

be extended to August 23, 2011;

WHEREAS, TCF and the Debtors continue to be in discussions regarding the terms of the Motion, but request additional time to continue such discussions.

WHEREAS, the parties believe that it is appropriate that the deadline for TCF to object or otherwise respond to the Motion be further extended to August 24, 2011.

NOW, THEREFORE, it is hereby stipulated and agreed as follows:

1. The parties respectfully request that the Court enter an order extending the deadline for TCF to object or otherwise respond to the Motion to August 24, 2011.

**AGREED AND STIPULATED TO<sup>2</sup>:**

OPPENHEIMER WOLFF & DONNELLY LLP

Dated: August 23, 2011

By: /e/ David B. Galle  
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David B. Galle, #311303  
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ATTORNEYS FOR TCF NATIONAL BANK

Dated: August 23, 2011

FREDRIKSON & BYRON, P.A.

By: /e/ Douglas W. Kassebaum  
James L. Baillie, #3980  
Douglas W. Kassebaum, #386802  
200 South Sixth Street, Suite 400  
Minneapolis, Minnesota 55402  
Telephone: (612) 492-7000  
Fax Telephone No.: (612) 492-7077

ATTORNEYS FOR THE DEBTORS

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<sup>2</sup> Statement Pursuant to L.R. 9011-4(f): Each Party hereto has authorized the filer to submit this Stipulation with the electronic signature of such party's counsel.

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

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In re:

Lyman Holding Company, et al.,  
  
Debtors.<sup>1</sup>

Chapter 11 Case No. 11-45190  
  
(Jointly Administered)

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**ORDER APPROVING STIPULATION TO FURTHER EXTEND DEADLINE TO OBJECT OR OTHERWISE RESPOND TO MOTION FOR ORDERS (I) AUTHORIZING DEBTORS TO SELL ASSETS FREE AND CLEAR OF LIENS, CLAIMS, INTERESTS AND ENCUMBRANCES; (II) AUTHORIZING ASSUMPTION AND ASSIGNMENT OR REJECTION OF UNEXPIRED LEASES AND EXECUTORY CONTRACTS; (III) APPROVING BIDDING PROCEDURES AND AUCTION; (IV) APPROVING BREAK UP FEE AND EXPENSE REIMBURSEMENT; (V) APPROVING FORM AND MANNER OF NOTICE; AND (VI) SCHEDULING FURTHER HEARING (DOCKET NO. 19)**

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This case came before the Court on a stipulation seeking an order further extending the deadline for TCF National Bank (“TCF”) to object or otherwise respond to the Notice of Hearing and Motion for Orders (i) Authorizing Debtors to Sell Assets Free and Clear of Liens, Claims, Interests and Encumbrances; (ii) Authorizing Assumption and Assignment or Rejection of Unexpired Leases and Executory Contracts; (iii) Approving Bidding Procedures and Auction; (iv) Approving Break Up Fee and Expense Reimbursement; (v) Approving Form and Manner of Notice; and (vi) Scheduling Further Hearing (Case No. 10-45190 Docket No. 19; the “Motion”). Appearances, if any, were noted on the record. Based on the files, records and proceedings,

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<sup>1</sup> Jointly administered estates of the following Debtors: Lyman Holding Company Case No. BKY 11-45190, Lyman Lumber Company Case No. BKY 11-45191, Automated Building Components, Inc. Case No. BKY 11-45192, Building Materials Wholesalers, Inc. Case No. BKY 11-45193, Carpentry Contractors Corp. Case No. BKY 11-45194, Construction Mortgage Investors Co. Case No. BKY 11-45196, Lyman Development Co. Case No. BKY 11-45199, Lyman Lumber Wisconsin, Inc. Case No. BKY 11-45201, Lyman Properties, L.L.C. Case No. BKY 11-45202, Mid-America Cedar, Inc. Case No. BKY 11-45203, Woodinville Lumber, Inc. Case No. BKY 11-45204, Woodinville Construction Services, L.L.C. Case No. BKY 11-45206.

IT IS ORDERED that the deadline for TCF to respond to the Motion shall be August 24,  
2011.

Dated: \_\_\_\_\_, 2011

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The Honorable Dennis D. O'Brien  
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

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In re:

Lyman Holding Company, et al.,  
  
Debtors.<sup>1</sup>

Chapter 11 Case No. 11-45190  
  
(Jointly Administered)

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**CERTIFICATE OF SERVICE**

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David Galle hereby certifies that on August 23, 2011, he caused the following documents:

1. Stipulation to Further Extend Deadline or Object or Otherwise Respond to Motion for Orders (i) Authorizing Debtors to Sell Assets Free and Clear of Liens, Claims, Interests and Encumbrances; (ii) Authorizing Assumption and Assignment or Rejection of Unexpired Leases and Executory Contracts; (iii) Approving Bidding Procedures and Auction; (iv) Approving Break Up Fee and Expense Reimbursement; (v) Approving Form and Manner of Notice; and (vi) Scheduling Further Hearing (Docket No. 19); and
2. Proposed Order Approving Stipulation to Further Extend Deadline or Object or Otherwise Respond to Motion for Orders (i) Authorizing Debtors to Sell Assets Free and Clear of Liens, Claims, Interests and Encumbrances; (ii) Authorizing Assumption and Assignment or Rejection of Unexpired Leases and Executory Contracts; (iii) Approving Bidding Procedures and Auction; (iv) Approving Break Up Fee and Expense Reimbursement; (v) Approving Form and Manner of Notice; and (vi) Scheduling Further Hearing (Docket No. 19)

to be electronically filed through the Electronic Case Filing System (ECF), to the filing users, including the following entities:

Fredrikson & Byron, P.A., Attorneys for Debtors  
*jbaillie@fredlaw.com*

Dated: August 23, 2011

OPPENHEIMER WOLFF & DONNELLY LLP

/s/ David B. Galle  
David B. Galle

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